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<b>Regarding:</b>		<b>Number of Pages:</b>	<b>Hard Copy Follows:</b>
SOAH Docket No. 582-07-2674; TCEQ Docket No. 2007-0362-IHW		5	As Noted Below
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**SOAH DOCKET NO. 582-07-2674  
TCEQ DOCKET NO. 2007-0362-IHW**

<b>APPLICATION OF TEXCOM GULF DISPOSAL, L.L.C. FOR TEXAS COMMISSION ON ENVIRONMENTAL QUALITY INDUSTRIAL SOLID WASTE PERMIT NO. 87758</b>	<b>§ § § § §</b>	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
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**APPLICANT TEXCOM GULF DISPOSAL, LLC'S  
REPLY TO EXCEPTIONS TO THE SUPPLEMENTAL PROPOSAL FOR DECISION**

Pursuant to 30 Tex. Admin. Code § 80.257(a), TexCom Gulf Disposal, LLC (“*TexCom*” or “*Applicant*”) presents this, its Reply to Exceptions to the Supplemental Proposal for Decision (“*Supplemental PFD*”) filed by Protestant Lone Star Groundwater Conservation District (“*Lone Star*”).<sup>1</sup> Lone Star’s only exception to the Supplemental PFD is that there are insufficient regulations to permit a surface facility as TexCom proposes.<sup>2</sup> The Texas Commission on Environmental Quality has already addressed this issue and determined that the regulations applicable to TexCom’s application for Industrial Solid Waste Permit No. 87758 are those set forth in 30 Tex. Admin. Code Chapters 305, 331, and 335.<sup>3</sup>

Based on the Supplemental PFD and exceptions filed, there is no dispute that TexCom has demonstrated by a preponderance of the evidence that its surface facility application complies with all applicable statutes and rules. Accordingly, Industrial Solid Waste Permit No. 87758 should be granted.

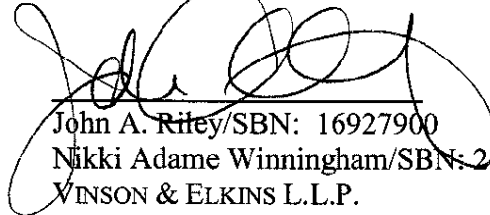
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<sup>1</sup> The only other parties to file exceptions, the Aligned Protestants Montgomery County and the City of Conroe and the Executive Director, do not actually except to the Supplemental PFD and, accordingly, TexCom has no reply.

<sup>2</sup> See Lone Star’s Exceptions to Proposal for Decision.

<sup>3</sup> See *Interim Order Concerning The Administrative Law Judges’ Proposal For Decision And Order Concerning TexCom Gulf Disposal L.L.C.’S Application For Nonhazardous Industrial Solid Waste Permit No. 87758*; TCEQ Docket No. 2007-0362-IHW; SOAH Docket No. 582-07-2674 at 1-2 (Dec. 12, 2008).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Riley", is written over a horizontal line.

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document has been served on the following via electronic mail, facsimile, and/or overnight or first class mail on this the 8th day of December 2010:

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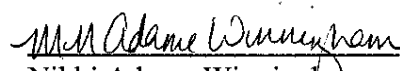
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